

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

NOEL K. BANGO,

1:20-cv-14978 (NLH)

Petitioner,

MEMORANDUM OPINION & ORDER

v.

STATE OF FLORIDA,

Respondents.

APPEARANCES:

Noel K. Bango
0189489
Main Detention Center
3228 Gun Club Road
West Palm Beach, FL 33406

Petitioner pro se

HILLMAN, District Judge

WHEREAS, Petitioner Noel K. Bango has filed a petition for writ of habeas corpus under 28 U.S.C. § 2254, ECF No. 1; and

WHEREAS, Petitioner is challenging a Florida state proceeding in the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, State of Florida v. Noel K. Bango, 2019-CF-009770; and

WHEREAS, Petitioner is not challenging a New Jersey state conviction, nor is he incarcerated in New Jersey. "Where an application for a writ of habeas corpus is made by a person in

custody under the judgment and sentence of a State court of a State which contains two or more Federal judicial districts, the application may be filed in the district court for the district wherein such person is in custody or in the district court for the district within which the State court was held which convicted and sentenced him and each of such district courts shall have concurrent jurisdiction to entertain the application." 28 U.S.C. § 2241(d). Therefore, this Court lacks jurisdiction over the § 2254 proceeding; and

WHEREAS, Petitioner challenges a proceeding from Palm Beach County, which is located in the Southern District of Florida,

THEREFORE, IT IS on this 27th day of October, 2020

ORDERED that the Clerk shall transfer this matter to the United States District Court for the Southern District of Florida, 28 U.S.C. § 1631; and it is finally

ORDERED that the Clerk shall serve a copy of this Order upon Petitioner by regular mail and close this matter.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.